

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**MOLLY SOSTAND AND RAYMOND §
SOSTAND, INDIVIDUALLY AND AS §
THE REPRESENTATIVES OF THE §
ESTATE OF CHRISTOPHER GEORGE §
SOSTAND, DECEASED,** §

**Civil Action No. 4:07-cv-03858
*Jury Requested***

Plaintiffs §

v. §

**KANSAS CITY SOUTHERN RAILWAY §
COMPANY** §

Defendants. §

PLAINTIFFS' INITIAL DISCLOSURES

Pursuant to Federal Rules of Civil Procedure 26, and the Local Rules, Plaintiff, Molly Sostand and Raymond Sostand, Individually and as the Representatives of the Estate of Christopher George Sostand, Deceased, make the following Initial Disclosures as to all other parties.

(A) The names, addresses, and telephone numbers of individuals likely to have discoverable information that plaintiffs may use to support their claims or defenses are:

Response:

Sostand, Molly, 2145 Corley, Beaumont, TX 77701, 409-832-2718

Sostand, Raymond, 2145 Corley, Beaumont, TX 77701, 409-832-2718

Adams, Greg, Browns Machinery, P.O. Box 9087, Liberty, TX 77575, 936-336-9375

Anderson, Craig, 4675 North Main, Manor, TX 77662, 409-422-4317,
Brown Machine Company

Bogars, Lynn

Burks, Reginald, employee of Kansas City Southern Railway Company,
maintenance way.

Cunningham, Louis, 213 ½ W. Reed Street, Moberly, MO 65270-1556,
816-590-4491, 660-998-1666, employee of Rail Pros, Inc., flagman

Emilio

Ferrier, Craig J., 2519 South Cotswald, Shreveport, LA 71118, 318-393-
9460,

Flowers, James, Beaumont, TX, 77713. 409-220-8565, employee of Brown
Machine Company, spiker operator

Goodman, Mike, 33 Ashton Place, Daqueen, Arkansas 71832, 870-642-
8927

Harvey, Chris, Collin County Sheriff Office, 4300 Community Avenue,
McKinney, TX 75071

Hickman, Keith Wayne, P.O. Box 1532, Beaumont, TX 77703, employee of
Brown Machine Company, machine operator

Johnson, Johnny, Vice President, RailPros, Inc., 25 Mauchly, Suite 329,
Irvine, CA 92618, 714-734-8765

Lewis, John, 409-767-3985

Mineo, James, 715 Range Road, Palestine, TX, 903-217-6713, employee of
Brown Machine Company, machine operator.

Pickens, Charles Edward III, 3995 Cedars Youngstown, Beaumont, TX
77703, 409-682-3855, employee of Brown Machine Company, machine operator

Smith, Jason, 13020 Highway One, Oil City, Louisiana 71061, 318-995-
0455, employee of Kansas City Southern Railway, machine operator

Wells, Tyrus Health, 2475 Avenue I, Beaumont, TX 77702, 409-350-0372, employee of Brown Machine Company, machine operator.

Zeno, Ernest Dwayne, 2360 Hayes Lane, Beaumont, TX 77703, employee of Brown Machine Company, machine operator

Custodian of billing and medical records for PHI Air Medical, P.O. Box 60557, Los Angeles, CA 90060, 800-347-0881

Custodian of billing and medical records for Parkland Health & Hospital System, P.O. Box 660599, Dallas, TX 75266-0599, 214-590-4900

Custodian of billing and business records for Community Funeral Chapels, Inc., 624 Irma Avenue, Beaumont, TX, 409-838-6597

Custodian of billing records for UT Southwestern, P.O. Box 845347, Dallas, TX 75284-5347, 214-645-0600

Custodian of business records for Verizon Wireless

Custodian of business records for Texas Mutual Insurance Company, P.O. Box 12029, Austin, TX 78711-2029, 800-252-7031

(B) A copy – or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Response:

- Medical bills and records
- Earnings documentation
- Funeral bill and records
- Grievance cards and program
- Cell phone records
- Scene photos
- Witness statements

(C) A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; and

Response:

Wrongful death damages:

Mental anguish and loss of companionship - Molly Sostand \$1,000,000.00

Mental anguish and loss of companionship – Raymond Sostand \$1,000,000.00

Survivorship claim:

Pain and suffering, mental anguish Christopher Sostand, Deceased \$ 1,000,000.00

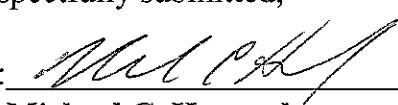
Funeral Expenses \$ 5,696.00

Medical Expenses \$18,318.80

(D) for inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Response: None.

Respectfully submitted,

By: 

Michael C. Howard

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713-868-1919

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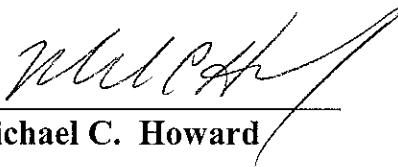
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served via certified mail, return receipt requested on the 11th day of April 2008, upon the following defendant's counsel:

David E. Brothers
Bean, Bean & Brothers, LLP
820 Gessner, Suite 1500
Houston, TX 77024

James M. Corbett
Lyman, Twining, Weinberg, Ferrell
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1221 McKinney St.
Houston, TX 77010-2009


Michael C. Howard